IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.13318 of 2004

Dated: 20th June, 2006

Between:

Sharfuddin & another.

.. Petitioners

and

The Government of A.P.,
rep. by its Principal Secretary,
Cooperative Department, Secretariat Buildings,
Hyderabad & others.

.. Respondents

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ORDER:

None appeared for the petitioner.

This writ petition is filed seeking a Mandamus directing the respondents 1 to 3 to take appropriate action immediately for

completion of enquiries into the irregularities committed by respondent No.4 with regard to allotment of plots and houses belonging to the society and to take appropriate action on the basis of such enquiry report.

The complaint of the petitioners is that they are the members of the fourth respondent society. On 7.12.1976, first petitioner was allotted Plot No.403/0 admeasuring 120 sq.yards in Survey No.127 of Yousufguda village out of 50 acres of land allotted by the Government. After depositing the stipulated amount, he was given implied possession of the said plot. Similarly, the second petitioner was also allotted with a plot. However, the managing committee of the fourth respondent has not executed the registered sale deeds in their favour. Though the possession was given to them, but the fourth respondent is not handing over physical possession of the land.

These assertions does not inspire the confidence of the Court to take up the issue for resolving the disputes between the parties in a writ petition filed under Article 226 of the Constitution of India. Probably, the petitioner may have to file regular civil suit or any other proceedings under the Cooperative Societies Act. The writ petition is misconceived and liable to be dismissed.

The writ petition is accordingly dismissed. No order as to costs. However, this order does not preclude the petitioners from working out their remedies as available to them under law.

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C.V.RAMULU,
J

Date: 20.6.2006
DA

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